

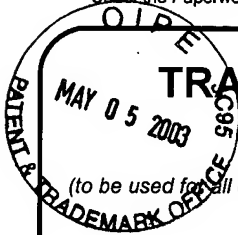
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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/079,985
Filing Date	February 21, 2002
First Named Inventor	Hirokazu Tamura
Group Art Unit	2818
Examiner Name	Mai Huong C. Tran
Attorney Docket Number	AMY-002.01 (21424-201)
Total Number of Pages in This Submission	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Election/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Postcard
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Remarks

Customer No 25181

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David A. Lane, Jr., Reg. No. 39,261
Signature	<i>David A. Lane, Jr.</i>
Date	4/28/03

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name	Kerry Richard	Date	April 28, 2003
Signature	<i>Kerry Richard</i>	Date	April 28, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hirokazu Tamura et al.
Serial No: 10/079,985
Filed: February 21, 2002
For: MEMS Devices and Methods
of Manufacture

Art Unit: 2818

Examiner: Mai Huong C. Tran

Attorney Docket No.: AMY-002.01
(21424-201)

#6 Election

M. Brauns

5/13/03

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04/28/03
Date

Kerry Richard
Signature KERRY RICHARD

Commissioner for Patents
Washington, D.C. 20231

ELECTION

Sir:

In response to the Election/Restriction requirement set forth in the Office Action mailed April 11, 2003, Applicants elect with traverse Group I, claims 1-69. However, it is respectfully submitted that examination of all claims simultaneously would place no undue burden on the Examiner. The Applicants respectfully point out that the examination of the claims of Group II, ~~claims 30-38 and 41-50~~ ⁷⁰⁻¹⁰⁷, necessarily entails a search of the subject matter of Group I, and therefore submits that the examination of Groups I and II together presents no significant burden over the examination of Group II alone.

For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden (M.P.E.P § 803). Accordingly, Applicants respectfully request examination of all claims simultaneously.

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Serial No. 10/079,985

Art Unit: 2818

Applicants consider the above election to be fully responsive to the Office Action. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (617) 832-1197. No fee is believed due. If a fee is occasioned or if extensions of time are necessary, the Commissioner is authorized to charge the balance to Deposit Account No. **06-1448**, Ref. AMY-201.

Respectfully submitted,

FOLEY HOAG, LLP

Date: April 28, 2003

Customer Number: 25181

Patent Group

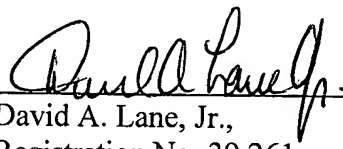
Foley Hoag LLP

155 Seaport Boulevard

Boston, MA 02210

Tel.: (617) 832-1000

Fax: (617) 832-7000



David A. Lane, Jr.,

Registration No. 39,261

Attorney for Applicants